



# ***CITY COUNCIL AGENDA REPORT***

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MEETING DATE: FEBRUARY 22, 2005

ITEM NUMBER:

**SUBJECT: GENERAL PLAN AMENDMENT GP-04-03/REZONE R-04-05  
2501 HARBOR BOULEVARD.**

**DATE: FEBRUARY 9, 2005, 2005**

**FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION**

**PRESENTATION BY: KIMBERLY BRANDT, PRINCIPAL PLANNER**

**FOR FURTHER INFORMATION CONTACT: KIMBERLY BRANDT (714) 754-5604**

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## **RECOMMENDATION:**

1. Adopt attached resolution approving the initial study/negative declaration and General Plan Amendment GP-04-03, which amends the land use designation from High Density Residential to Public/Institutional for a 5-acre portion of 2501 Harbor Boulevard.
2. Give first reading to the attached ordinance which rezones a 5-acre portion of 2501 Harbor Boulevard from Planned Development Residential-High Density to Institutional and Recreational

## **BACKGROUND:**

The project site is presently vacant and is part of the Fairview Developmental Center that is owned and operated by the State of California. See Figure 1 in Attachment 2. Originally, this property was designated as Public Use on the City's General Plan. However, in 1985 the State applied for and the City granted a general plan amendment and rezone to high density residential on 54 acres (GP-85-1A and R-85-01). The State then proceeded to enter into long-term lease agreements for the construction of 563 rental units (attached and detached) that were targeted to low-income households, Fairview Developmental Center patients and employees, or workers in the City of Costa Mesa. All but approximately 5 acres of the 54 acres were developed. The State currently is seeking to dispose of this residual undeveloped area. The maximum residential development potential for the site is 100 units (maximum 20 units/acre).

On August 2, 2004, City Council directed staff to amend the General Plan designation from High Density Residential to Public/Institutional. Staff also included a corresponding rezone to I&R in order to maintain general plan and zoning consistency on the project site.

On September 27, 2004, Planning Commission continued this item for 3 months to allow staff sufficient time to work with the State Department of General Services regarding the disposition of this property.

In the intervening time, the Parks and Recreation Commission identified this site, as well as several others, for further study as a potential site for active recreational uses. On December 6, 2004, Council concurred with Parks and Recreation Commission's recommendations and directed staff to conduct an acceptability study to determine if active recreational uses are appropriate for the identified sites.

On January 24, 2004, Planning Commission recommended approval of the general plan amendment and rezone, on a 3-0 vote (DeMaio absent). The Commission meeting minutes and staff reports are contained in Attachments 3 and 4.

### **ANALYSIS:**

As shown on Figure 1 in Attachment 2, the site is located on the west side of Harbor Boulevard with Fair Drive providing access. Apartment units (Harbor Village) are located directly north and west of the site, single-family detached units (rental) abut the site to the west, and to the south is the City's golf course. Across Harbor Boulevard are commercial uses and single-family detached units. Site photographs are provided in Attachment 2.

Staff notes that land uses allowed under the Public/Institutional land use designation are not limited to public parkland and recreational uses. For example, this designation allows churches, day care, educational facilities, senior congregate facilities, and other types of institutional uses. Therefore, the Public/Institutional designation will allow development of the site by either public or private entities. The only way the City can ensure that this property is preserved for public parkland/recreational uses is to acquire the property. The City has no specific plans to purchase the property or develop it at this time, but as mentioned previously, Council directed staff to conduct an acceptability study to determine if active recreational uses are appropriate for this site. Please note that Council's approval of the general plan amendment and rezone does not obligate the City to purchase the property.

The Planning Commission staff report provides a detailed analysis of the potential effect of this General Plan amendment on the City's Housing Element. The analysis concludes that there is still adequate land in the City to meet the Housing Element objectives, if this amendment is approved.

Since Commission's action, the State has listed the property for sale, and has contacted the City to that effect. Attachment 7 contains the information that is posted on the State's web site. Alternative residential designs are included, ranging from single-family detached units (6.6 units/acre) to attached multi-family units (28.4 units/acre).

### **ALTERNATIVES CONSIDERED:**

Council may choose to do either of the following:

1. Approve the General Plan Amendment and rezone as recommended by the Planning Commission; or
2. Take no action on the draft resolution and ordinance, and thereby retain the City's current General Plan and zoning designations for the property.

**FISCAL REVIEW:**

Fiscal review is not required for this ordinance.

**LEGAL REVIEW:**

The City Attorney's office has reviewed the draft resolution and ordinance and approved them as to form.


**ENVIRONMENTAL DETERMINATION**

An initial study was prepared, pursuant to the California Environmental Quality Act (CEQA). According to the initial study and negative declaration, which reflect the independent judgment of the City of Costa Mesa, the proposed project would not have a significant effect on the environment. The State did submit a comment letter on the adequacy of the Initial Study during the public review period. Responses to that comment letter are included in Attachment 5. It is important to note that further environmental review will be required for any future development proposal to identify any new, significant environmental effects or substantial increase in the severity of previously determined effects, where applicable.

**CONCLUSION:**

The proposed general plan amendment and rezone will provide for more public and quasi-public uses in the City. The City may amend the designation from High Density Residential to Public/Institutional and still have adequate land available to meet the objectives stated in the City's Housing Element.

  
KIMBERLY BRANDT  
Principal Planner

  
DONALD D. LAMM  
Deputy City Mgr. – Dev. Svs. Director

DISTRIBUTION: City Manager  
Assistant City Manager  
City Attorney  
Deputy City Manager – Dev. Svs. Dir.  
Public Services Director  
City Clerk (2)  
Staff (4)  
File (2)

- ATTACHMENTS:
- 1 Draft resolution and ordinance
  - 2 Figures and Photographs
  - 3 Planning Commission meeting minutes
  - 4 Planning Commission staff reports
  - 5 Responses to Comments on Initial Study
  - 6 Initial Study/Negative Declaration (under separate cover)
  - 7 DGS Site Information

Paula Gutierrez  
Supervising Real Estate Officer  
Department of General Services  
707 Third Street, Suite 6-130  
West Sacramento, CA 95798-9052

Robert Sterling  
Staff Services Manager  
Department of Developmental Services  
Fairview Developmental Center  
Mail Box #1  
2501 Harbor Boulevard  
Costa Mesa, CA 92626

File Name: 022205GP0403R0405	Date: 1/28/05	Time: 945a.m.
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**ATTACHMENT 1**

**RESOLUTION AND ORDINANCE**

**RESOLUTION NO. 05-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT GP-04-03, WHICH AMENDS THE LAND USE DESIGNATION FROM HIGH DENSITY RESIDENTIAL TO PUBLIC/INSTITUTIONAL FOR A PORTION OF 2501 HARBOR BOULEVARD.**

**THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:**

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000 General Plan on January 22, 2004; and

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of Costa Mesa; and

WHEREAS, the State Department of Housing and Community Development certified the City's Housing Element on November 19, 2001; and

WHEREAS, by its very nature, the General Plan needs to be updated and refined to account for current and future community needs; and

WHEREAS, General Plan Amendment GP-04-03 amends the 2000 General Plan land use map as shown in Exhibit "A" from High Density Residential to Public/Institutional for a portion of 2501 Harbor Boulevard; and

WHEREAS, the approximate 5-acre site was not included in the City's Housing Element "Vacant Land Inventory" as a suitable site for future housing construction; and

WHEREAS, since the adoption of the City's General Plan, the City has taken several actions that have increased the City's potential housing stock by 244 units, as documented in the Planning Division staff report for GP-04-03; and

WHEREAS, the Planning Commission held public hearings on September 27, 2004 and January 24, 2005 and recommended adoption of said General Plan amendment by adoption of Resolution PC-05-2; and

WHEREAS, the City Council held a public hearings on February 22, 2005 in accordance with Section 65355 of the Government Code of the State of California, with all persons having been given the opportunity to be heard both for and against said Amendment GP-04-03 to the General Plan; and

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and an Initial Study/Negative Declaration was prepared and available for public review from August 26, 2004 to September 24, 2004; and

WHEREAS, written responses to the comments received on the Initial Study/Negative Declaration were prepared, and the City Council considered the responses to comments; and

WHEREAS, the level of detail regarding the range of future uses is such that further potential environmental impacts are too speculative for evaluation at this time; and

WHEREAS, this Council deems it to be in the best interest of the City that said Amendment to the General Plan be adopted.

BE IT RESOLVED, an initial study was prepared, pursuant to the California Environmental Quality Act. According to the Initial Study/Negative Declaration, which reflects the independent judgment of the City of Costa Mesa, the proposed project would not have a significant effect on the environment. Additionally, the evidence in the record as a whole indicates that the project will not or cumulatively have an adverse effect on wildlife resources or habitat; and

BE IT FURTHER RESOLVED that the adoption of GP-04-03 does not affect the future housing inventory in the City's Housing Element, which was used in its certification by the State of California Department of Housing and Community Development in November 2001; and

BE IT FURTHER RESOLVED that the Costa Mesa City Council does hereby approve the Initial Study/Negative Declaration and General Plan Amendment GP-04-03, to change the land use designation to High Density Residential as shown in Exhibit "A".

**PASSED AND ADOPTED this 22<sup>TH</sup> day of February 2005.**

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Mayor, Costa Mesa  
City Council

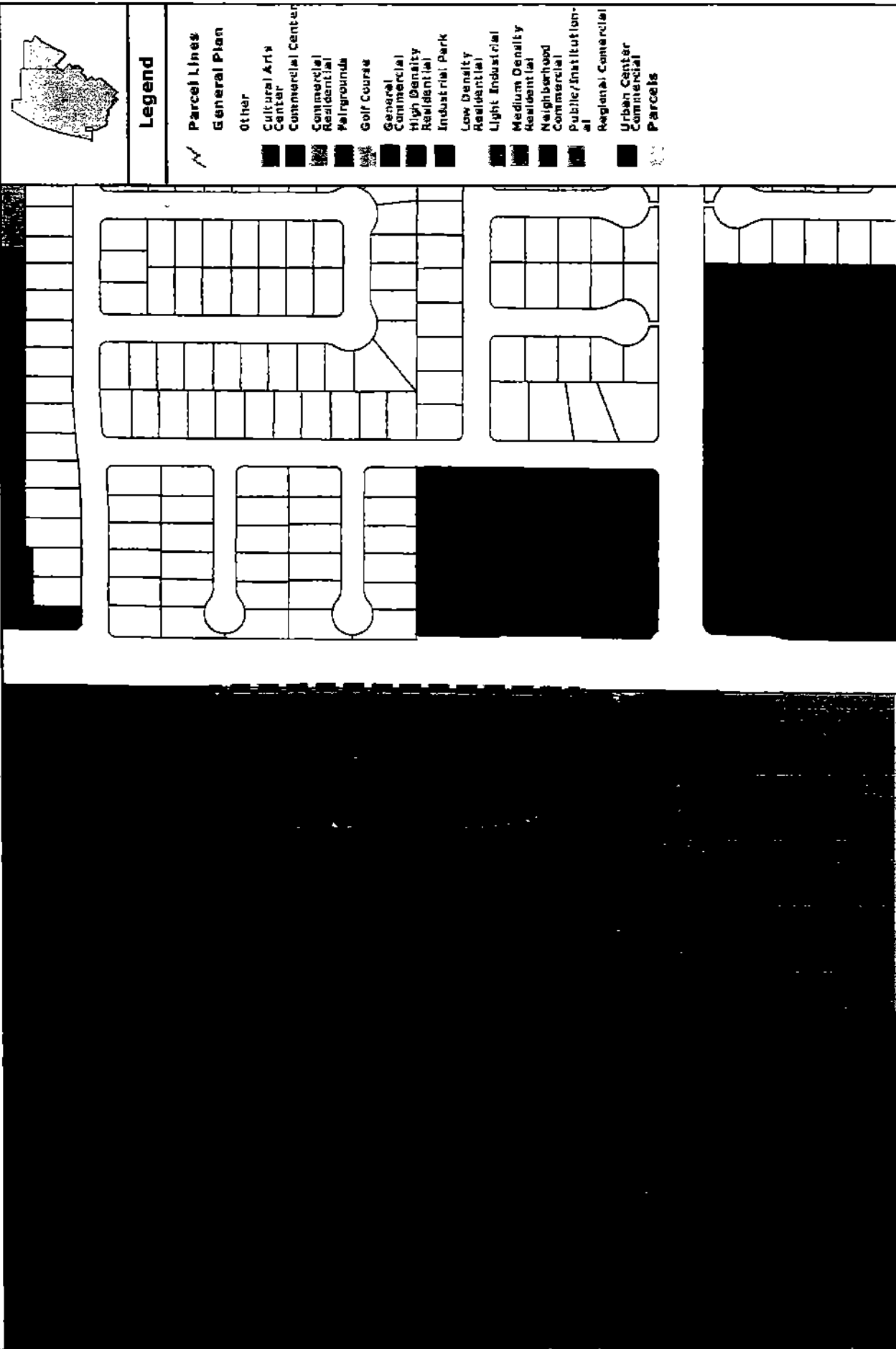


# **EXHIBIT “A”**

## **Land Use Map Amendment**

# Proposed General Plan Map

Fairview Developmental Center - Surplus Site



**ORDINANCE NO. 05-**

**AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF COSTA MESA, CALIFORNIA,  
REZONING 5 ACRES FROM PLANNED  
DEVELOPMENT RESIDENTIAL-HIGH  
DENSITY TO INSTITUTIONAL AND  
RECREATIONAL BY ADOPTION OF REZONE  
PETITION R-04-05 FOR A PORTION OF  
2501 HARBOR BOULEVARD.**

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY  
ORDAIN AS FOLLOWS:

Section 1. The City of Costa Mesa Official Zoning Map is hereby amended  
as follows:

a. There are hereby placed and included in the Institutional and  
Recreational (I&R) zoning district 5 acres, a portion of 2501 Harbor  
Boulevard, as shown on attached Exhibit A and described in attached Exhibit  
B, situated in the City of Costa Mesa, County of Orange, State of California.

b. Pursuant to the provisions of Section 13-22 of the Costa Mesa  
Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby  
amended by the change of zone described in subsection a hereof and in the  
respective exhibits. A copy of the Official Zoning Map is on file in the office  
of the Planning Division.

Section 2. The proposed rezone was addressed in Initial Study/Negative  
Declaration, which was processed in accordance with the requirements of  
the California Environmental Quality Act (CEQA), the State CEQA Guidelines,  
and the City of Costa Mesa Environmental Guidelines. Additionally, the City  
Council has approved the Initial Study/Negative Declaration by separate  
resolution.

Section 3. Inconsistencies. Any provision of the Costa Mesa Municipal  
Code or appendices thereto inconsistent with the provisions of this

Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

Section 4. Severability. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

Section 5. Publication. This ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and, prior to the expiration of fifteen (15) days from its passage, shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names of the members of the City Council voting for and against the same.

**PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2005.**

\_\_\_\_\_  
Mayor of the City of Costa Mesa

ATTEST:

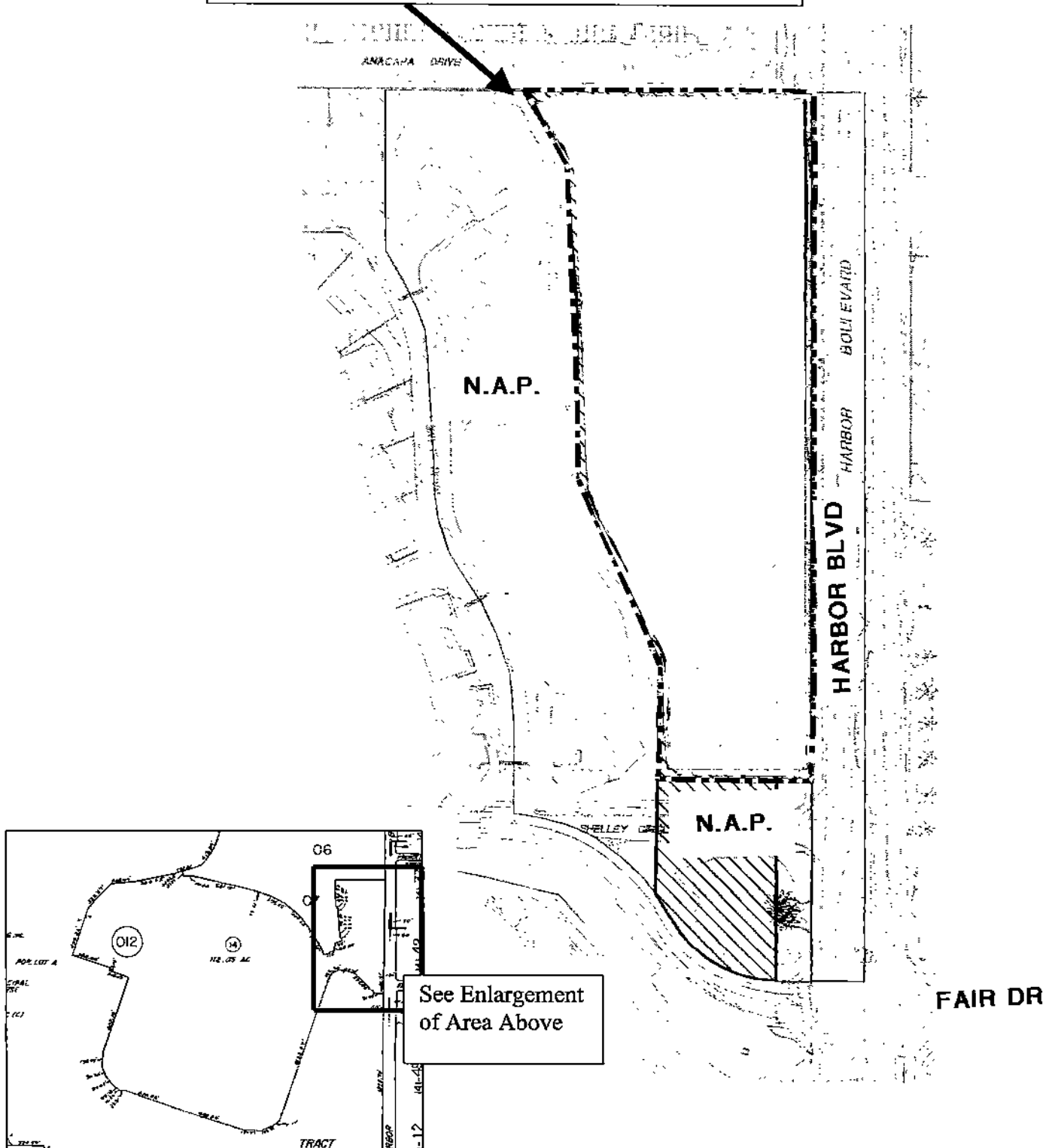
APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy City Clerk of the City of Costa Mesa

\_\_\_\_\_  
City Attorney

**EXHIBIT A**

**INSTITUTIONAL AND RECREATIONAL  
(I&R) ZONING DISTRICT**





The following property is hereby rezoned as follows:

ZONING DISTRICT	PARCEL NUMBERS
INSTITUTIONAL AND RECREATIONAL (I&R)	A 5-acre portion of 420-012-14

## **ATTACHMENT 2**

### **FIGURES AND SITE PHOTOGRAPHS**





# Fairview Developmental Center

Surplus Site

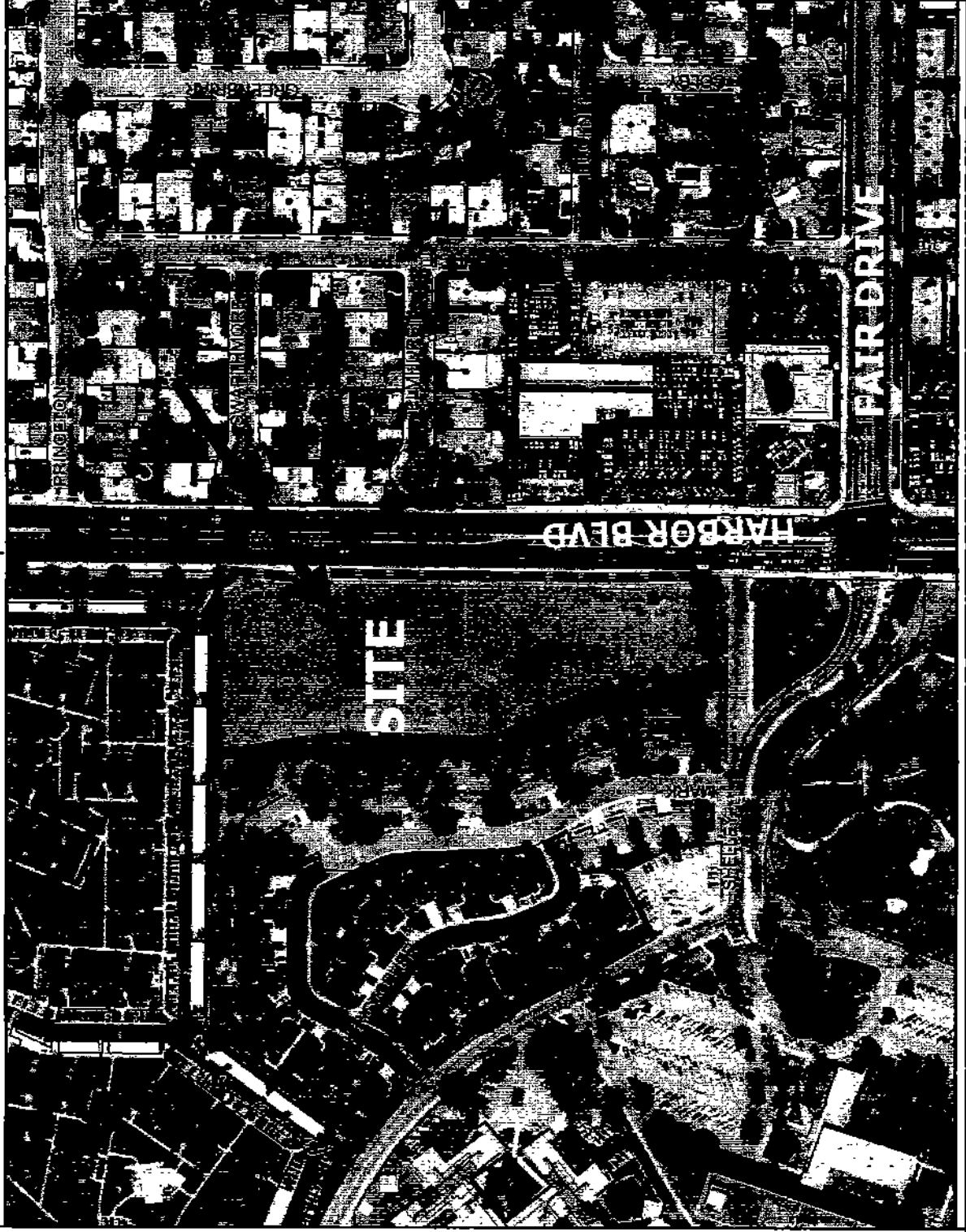
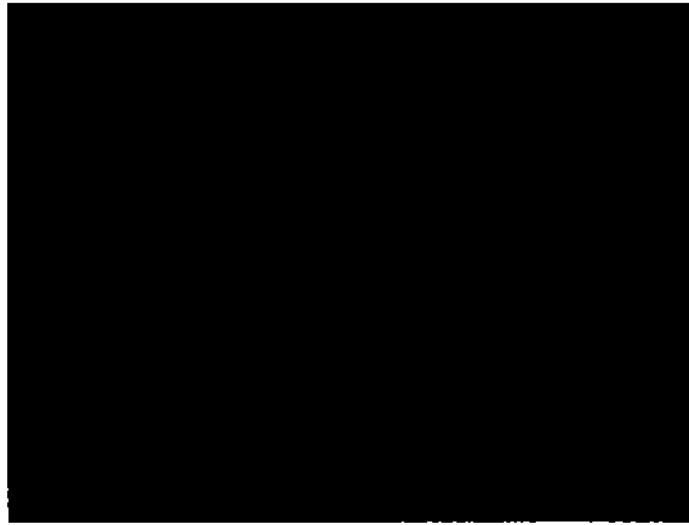
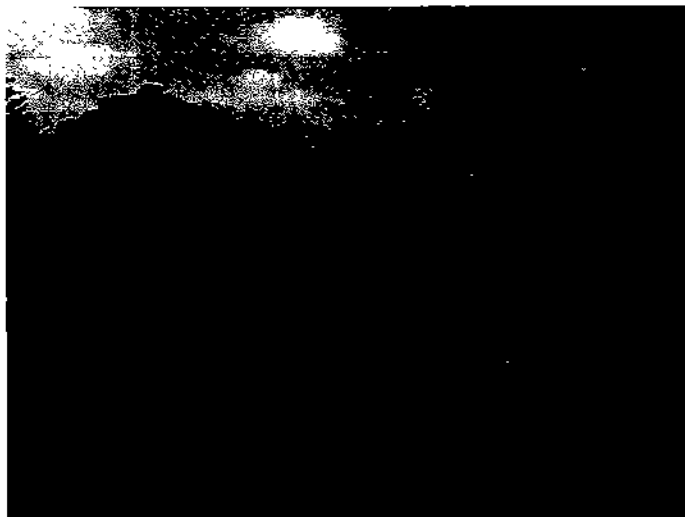


FIGURE 1



**Site Photo 1: Looking northwest. Harbor Village apartments at the top of the photo and southbound traffic on Harbor Boulevard visible to the right.**



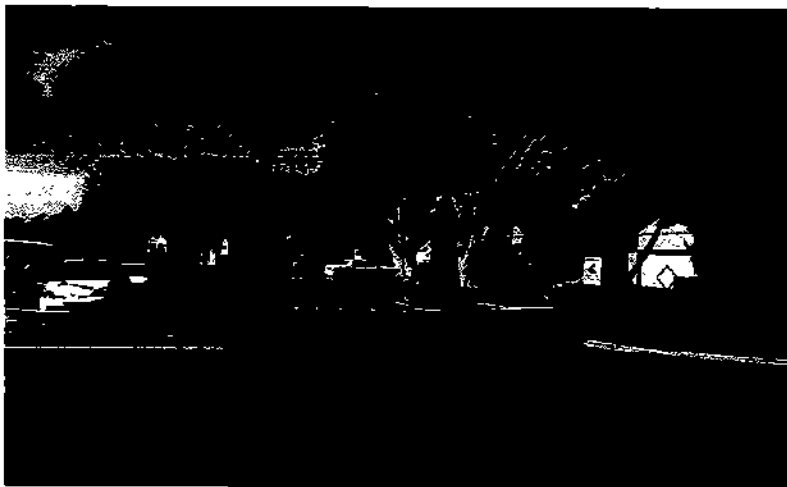
**Site Photo 2: View of west property line. Single-family detached units border this property line, behind the landscaping.**



Site Photo 3: View looking West across Harbor Blvd.



Surrounding Properties: North of the subject property.  
(Harbor Village Apartments)



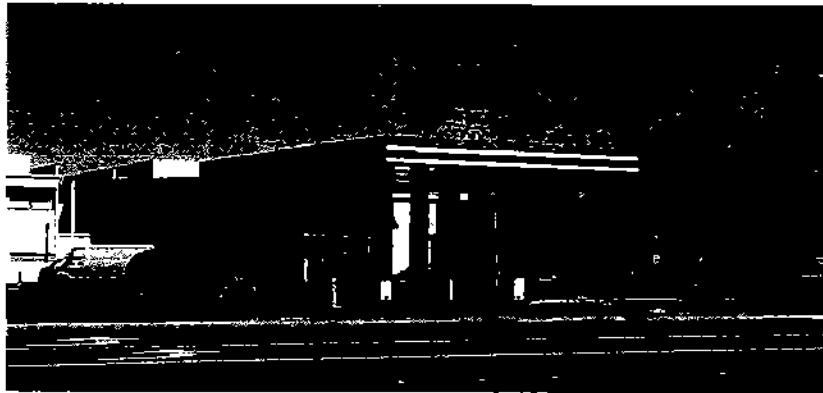
Existing residences on Mark Lane



Surrounding Properties: East of the subject property.  
(Single Family Residential)



Surrounding Properties: East of the subject property.  
(Auto Dealership - Orange Coast AMC/Jeep Inc )



Surrounding Properties: East of the subject property.  
(Gasoline Station – United Oil )



Surrounding Properties: Southeast of subject property.  
(Intersection of Harbor Blvd. and Fair Dr.)



Surrounding Properties: South of the subject property.  
(Costa Mesa's golf course )

## **ATTACHMENT 3**

### **PLANNING COMMISSION MEETING MINUTES**





# **CITY OF COSTA MESA**

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

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DEVELOPMENT SERVICES DEPARTMENT

**FOR ATTACHMENTS NOT INCLUDED IN THIS  
REPORT, PLEASE CONTACT THE CITY CLERK'S  
OFFICE AT (714) 754-5121**